

Amendment to the Claims

D3 SUB E1
1. (Currently amended) An isolated nucleic acid molecule comprising a MEL7 promoter, wherein the MEL7 promoter comprises a sequence that is within 1560 nucleotides upstream of the MEL7 coding sequence, as that consists of a portion of the nucleotide sequence presented as in SEQ ID NO:426, that in cantaloupe melon genomic DNA, and wherein the MEL7 promoter, when operably linked to a protein-encoding polynucleotide sequence, directs ~~transgene~~, promotes fruit-associated expression of the protein in a plant cell ~~transgene~~.

2-4. (Canceled)

D4
5. (Currently amended) The isolated nucleic acid molecule of claim 1, wherein the portion of the nucleotide sequence is MEL7 promoter has the nucleotide sequence presented as nucleotides 156-1708 of SEQ ID NO:42.

6. (Canceled)

D5 SUB E1
7. (Currently amended) A plant expression vector comprising the nucleic acid molecule ~~MEL7 promoter~~ of claim 1.

P6
8. (Currently amended) The plant expression vector of claim 7, wherein the MEL7 promoter is operably linked to a heterologous ~~nucleic acid~~ protein-encoding polynucleotide sequence.

SUB E1
9. (Currently amended) The plant expression vector of claim 8, wherein the polynucleotide ~~heterologous nucleic acid coding sequence~~ is operably linked to a control sequences, in addition to the promoter, that is recognized by a host cell transformed with the vector.

D7 8/15
10. (Currently amended) The plant expression vector of claim 9, wherein the polynucleotide sequence ~~said heterologous nucleic acid coding~~ encodes S-adenosylmethionine hydrolase (SAMase).

11. (Previously amended) A plant cell comprising the plant expression vector of claim 7.

12. (Original) A mature plant comprising the plant cell of claim 11.

D8
13. (Currently amended) A ~~transgenic~~ plant cell comprising the isolated nucleic acid molecule according to claim 1, wherein the ~~MEL7~~-promoter is operably linked to a ~~heterologous nucleic acid~~ protein-encoding polynucleotide sequence.

14. (Original) A mature plant comprising the plant cell of claim 13.

SUB E1
D9
15. (Currently amended) A method of expressing a heterologous protein-encoding polynucleotide ~~nucleic acid~~ sequence in fruit of a transgenic plant, comprising:

(a) transforming plant cells with a plant expression vector ~~nucleic acid construct~~ comprising a ~~MEL7~~-promoter according to claim ~~81~~, wherein the ~~MEL7~~-promoter is operably linked to a ~~heterologous nucleic acid coding~~ sequence;

(b) culturing said plant cells in a culturing medium containing a selection agent to select for transformed plant cells; and

(c) growing said transformed plant cells to produce a transgenic fruit-bearing plant,

wherein the heterologous ~~nucleic acid~~ protein-encoding polynucleotide sequence is expressed in fruit of said transgenic fruit-bearing plant.

16-18 (Canceled)

D10 SUB E1
19. (Currently amended) The method according to claim ~~158~~, wherein said heterologous protein-encoding polynucleotide sequence encodes S-

D10
cont'd

adenosylmethionine hydrolase (SAMase) and wherein said transgenic fruit-bearing plant produces mature fruit that exhibit a decrease in ethylene production relative to a non-transgenic plant.

20. (Previously added) A plant cell comprising the plant expression vector of claim 10.